

REMARKS

Claims 1 and 2 have been examined and have been rejected under 35 U.S.C. § 103(a).

As an initial matter, Applicant notes that although claim 6 is currently withdrawn, Applicant has amended the dependency of the claim.

I. Rejections under 35 U.S.C. § 103(a) in view of Lu et al. (US 5,904,778), Otsuki et al. (US 6,090,733) and Inaba et al. (US 5,937,316)

The Examiner has again rejected claims 1 and 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lu, Otsuki and Inaba.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. The claimed invention relates to a dummy wafer in which a coating film layer (CVD membrane) containing silicon carbide is provided on the surface of the dummy wafer in order to reduce the small holes on the surface and reduce warpage. In particular, due to the small holes on the surface and the warpage being reduced, it is possible for the claimed invention to be used as a dummy wafer.

On the other hand, the Lu reference does not relate to a dummy wafer. Rather, Lu relates to a plasma reactor, where the CVD membrane is applied on a bulk of the surface of the SiC. Furthermore, the thickness of the CVD membrane is more than 1mm. Turning to Inaba, the reference relates to an SiC member, wherein the thickness of the CVD membrane is in the range between 0.1mm to 1mm.

Applicant submits that the cited references do not teach or suggest the claimed range of the CVD membrane thickness. Furthermore, in the cited references, the warpage is very large, such that the cited references cannot be used for a dummy wafer.

Since Otsuki fails to cure the deficient teachings of Lu and Inaba, Applicant submits that claim 1 is patentable over the cited references.

Additionally, Applicant incorporates herein all arguments previously presented in the March 3, 2009 Amendment.

B. Claim 2

Applicant submits that claim 2 is patentable at least by virtue of its dependency.

II. Newly Added Claim

By this Amendment, Applicant has added claim 9. Claim 9 reads on the elected invention.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/561,952

Attorney Docket No.: Q92253

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

/Allison M. Tulino/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Allison M. Tulino
Registration No. 48,294

Date: September 10, 2009